

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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	:	Index No. 06114120
CHRISTIAN F. HOLINKA,	:	
	:	Date Filed:
Plaintiff,	:	
	:	<b>VERIFIED ANSWER TO</b>
-against-	:	<b>PLAINTIFF'S VERIFIED</b>
	:	<b>COMPLAINT, AFFIRMATIVE</b>
A.W. CHESTERTON COMPANY, ET AL.	:	<b>DEFENSES, ANSWER TO</b>
	:	<b>CROSSCLAIMS AND</b>
Defendants.	:	<b>CROSSCLAIMS OF UNIVAR USA</b>
	:	<b>INC.</b>
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Defendant, Univar USA Inc. ("Univar"), by its attorneys, Drinker Biddle & Reath LLP, hereby  
Answers Christian F. Holinka's ("Plaintiff") Verified Complaint, and says:

1. Univar denies any knowledge or information sufficient to form a belief as to the truth  
of the allegations contained in paragraphs 1 through 21 of Plaintiff's Verified Complaint, as they are  
not directed to Univar and relate to other defendants, and therefore denies those allegations. To the  
extent that such allegations are directed to Univar, Univar denies each and every allegation contained  
in paragraphs 1 through 23 of Plaintiff's Verified Complaint.

2. Univar denies the allegations in paragraph 22 of Plaintiff's Verified Complaint.

3. Univar denies the allegations in paragraph 23 of Plaintiff's Verified Complaint. By  
way of further answer, Univar admits that it is a corporation organized under the laws of the State of  
Washington and that it does business in the State of New York. Univar denies the remaining  
allegations set forth in paragraph 23 of Plaintiff's Verified Complaint.

4. Univar denies any knowledge or information sufficient to form a belief as to the truth  
of the allegations contained in paragraphs 24 and 25 of Plaintiff's Verified Complaint, as they are not  
directed to Univar and relate to other defendants, and therefore denies those allegations. To the

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NEW YORK  
DEC 13 2006

extent that such allegations are directed to Univar, Univar denies each and every allegation contained in paragraphs 24 and 25 of Plaintiff's Verified Complaint.

5. Univar hereby answers the remaining allegations incorporated by reference in Plaintiff's Verified Complaint, by reference to Univar's Standard Answer To Weitz & Luxenberg, P.C. Standard Asbestos Complaint For Personal Injury No. 7, and raises each and every affirmative defense, answer to crossclaim and crossclaim contained therein.

WHEREFORE, Univar demands judgment in its favor dismissing the Verified Complaint and awarding it attorneys' fees and costs of suit and such other relief which this Court may deem proper and just.

DRINKER BIDDLE & REATH LLP



Thuy T. Bui  
Drinker Biddle & Reath LLP  
140 Broadway – 39<sup>th</sup> Floor  
New York, New York 10005  
(212) 248-3140

Attorneys for Defendant  
Univar USA Inc.

Dated: December 13, 2006

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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CHRISTIAN F. HOLINKA, : Index No. 06114120  
: :  
Plaintiff, : **AFFIDAVIT OF SERVICE**  
: :  
-against- : :  
: :  
A.W. CHESTERTON COMPANY, ET AL. : :  
: :  
Defendants. : :  
----- X

FRANK JOHN affirms under penalty of perjury:

1. I am over 18 years of age and is not a party to this action.
2. On the 13th day of December, 2006 I served a true copy of the foregoing Verified

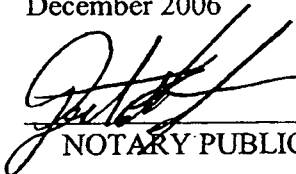
Answer to Plaintiff's Verified Complaint of Univar USA Inc. by first class mail to the following:

WEITZ & LUXEMBERG  
Attorneys for Plaintiff  
Benjamin Darche  
180 Maiden Lane  
New York, New York 10038-4925  
(212) 558-5500

by depositing a copy in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the U.S. Post Office within the State of New York.

  
\_\_\_\_\_  
FRANK JOHN

Sworn and subscribed to  
before me this 13<sup>th</sup> day of  
December 2006

  
\_\_\_\_\_  
NOTARY PUBLIC GERTRUDE SOFMAN  
Notary Public, State of New York  
No. 01S06092095  
Qualified in New York County  
Commission Expires May 12, 2007

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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CHRISTIAN F. HOLINKA,

: Index No. 06114120  
:

Plaintiff,

-against-

A.W. CHESTERTON COMPANY, ET AL.

Defendants.  
----- X

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**VERIFIED ANSWER TO PLAINTIFF'S VERIFIED COMPLAINT,  
AFFIRMATIVE DEFENSES, ANSWER TO CROSSCLAIMS AND  
CROSSCLAIMS OF UNIVAR USA INC.**

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**DRINKER BIDDLE & REATH LLP**  
Attorneys at Law  
Attorneys for Defendant  
Univar USA Inc.  
140 Broadway, 39<sup>th</sup> Floor  
New York, New York 10005  
(212) 248-3140

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